

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Jessica Fitzwater, Kai Hagen, Phil Dacey and Steve McKay were present for the meeting.

Also present were Ragen Cherney, County Council Chief of Staff; Bryon Black, County Attorney; Sydnee Klimko, Legislative Analyst; Lee Redmond, Executive Assistant, County Council; and Sarah Grabowski, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m.

**Opening Statement from Council President M.C. Keegan-Ayer**

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the Legislative meeting for Tuesday, September 6, 2022, and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

**Action on the Agenda**

*Council Member Michael Blue moved to approve the agenda as presented. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Public Comment was heard from:**

- Steve Black
- Ingrid Rosenkrantz
- Sue Trainor
- Nick Carerra

With no further speakers, Council President M.C. Keegan-Ayer closed public comment.

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

**Business Items:**

**Approval of Minutes from July 26, August 9, August 11, August 15, and August 16.**

*Council Member Steve McKay moved to approve the minutes from July 26, August 9, August 11, August 15, and August 16, 2022, as presented. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Budget Adjustments**

- J-22-402 - Engineering & Construction Management, Public Works Division
- J-23-039 - Solid Waste & Recycling Division
- Board of Education School Construction Fund Budget Amendment #23-01 and J-23-041 - Accounting, Finance Division
- J-23-042 - Housing & Community Development, Citizens Services Division
- J-23-044 - Interagency Information Technologies Division
- J-23-048 - Office for Children & Families, Citizens Services Division
- J-23-049 - Workforce Services, Office of Economic Development
- J-23-050 - Transit Services Division
- J-23-051 - Housing & Community Development, Citizens Services Division

*Council Member Steve McKay moved to approve Budget Adjustments J-22-402 - Engineering & Construction Management, Public Works Division, J-23-039 - Solid Waste & Recycling Division, Board of Education School Construction Fund Budget Amendment #23-01 and J-23-041 - Accounting, Finance Division, J-23-042 - Housing & Community Development, Citizens Services Division, J-23-044 - Interagency Information Technologies Division, J-23-048 - Office for Children & Families, Citizens Services Division, J-23-049 - Workforce Services, Office of Economic Development, J-23-050 - Transit Services Division, J-23-051 - Housing & Community Development, Citizens Services Division Council Member Jerry Donald seconded the motion that passed 7-0.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Confirmation of County Executive's Appointments to the Frederick County Boards and Commissions**

Joyce Grossnickle, Administrative Officer, Office of the County Executive, briefed the Council on the Confirmation of the County Executive's Appointments to Boards and Commissions.

**Affordable Housing Council**

*Council Member Jessica Fitzwater moved to confirm the appointments of Bruce Gorley, Gary Bennett, and Assan Sosseh the Affordable Housing Council to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Agricultural Preservation Advisory Board**

*Council Member Jerry Donald moved to confirm the appointment of Eric Troxell to the Agricultural Preservation Advisory Board to terms as presented by staff. Council Member Michael Blue seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Equity and Inclusion Commission

*Council Member Steve McKay moved to confirm the appointments of Dr. Shahid Rafiq, Kathy Brooks, Laura Fernandez, Ysela Bravo, Tonya Amedon, Tameka Davis, Dr. Nora Clark, Tiana Haile, Reverend Ronnie Henry, Amilynn Adams, Capt./NOAA Retired, Danielle Haskin, Frederick Police Chief Jason Lando, and Mari Lee to the Equity and Inclusion Commission to terms as presented by staff. Council Member Michael Blue seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Human Relations Commission

*Council Member Jerry Donald moved to confirm the appointment of Georgette Hughes and Irene Packer-Halsey to the Human Relations Commission to terms as presented by staff. Council Member Michael Blue seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Social Services Board

*Council Member Jerry Donald moved to confirm the appointment of Dr. Benita Rashaw and to the Social Services Board to a term as presented by staff. Council Member Jessica Fitzwater seconded the motion that passed 7-0.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Sustainability Commission

*Council Member Jerry Donald moved to confirm the appointment of Faith Klareich to the Sustainability Commission to a term as presented by staff. Council Member Kai Hagen seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Workforce Development Board

*Council Member Jerry Donald moved to confirm the appointment of Dr. Philip Brown, Molly Coughlan, and Jennifer Szabo to the Workforce Development Board to terms as presented by staff. Council Member Michael Blue seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Sugarloaf Extension Resolution

Bryon Black, County Attorney, presented the Resolution for the Council's decision.

*Council Member Steve McKay moved to approve the Resolution extending the deadline by twenty days for the Council to approve, modify, remand, or disapprove the recommended Sugarloaf treasured Landscape Management Plan. Vice President Michael Blue seconded the motion which passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Public Hearing:**

**Spring 2022 Cycle Water and Sewer Plan Amendments**

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented information to the Council on the Spring 2022 Cycle Water and Sewerage Amendments.

Those that were giving testimony for this issue were sworn in by Council President M.C. Keegan-Ayer.

A public hearing was held, as duly advertised, on the 2022 Spring Cycle Water and Sewer Amendments.

WS 20-01: Trout Land Group, LLC

Public comment was heard from:

- None.

With no additional speakers President M.C. Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case WS 22-01 to reclassify 3.8 acres from the S-5 category to the S-4 category. Council Member Jerry Donald seconded the motion that passed 7-0.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 22-02: Oakdale Crossing, LC

Public Comment was heard from:

- None

With no additional speakers President M.C. Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case WS 22-02 to reclassify 26 acres from the W-5, S-5 categories to the W-3, S-3 categories. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 22-04: Division of Planning & Permitting (Libertytown Land, LLC)

Public Comment was heard from:

- None.

With no additional speakers President M.C. Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case 22-04 to reclassify 5 acres from S-1 to S-5. Council Member Jerry Donald seconded the motion that passed 7-0.*

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 22-05: Division of Planning & Permitting (Libertytown Land, LLC)

Public Comment was heard from:

- None.

With no additional speakers President M.C Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case WS-05 to reclassify 1.2 acres from S-1 to S-5. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 22-06: Division of Planning & Permitting (Mid-Atlantic Cooperative Solutions, Inc.; Dinsmore Family, LLC)

Public Comment was heard from:

- None.

With no additional speakers President M.C. Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case WS 22-06 to reclassify 6.8 acres from the W-1 category to the W-5 category. Council Member Jerry Donald seconded the motion that passed 7-0.*



**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 22-08: Frank and Delores Thompson  
Public Comment was heard from:

- None.

With no additional speakers President M.C. Keegan-Ayer closed public comment.

*Council Member Steve McKay moved to approve Water and Sewer Case WS 22-08 to reclassify 0.92 acres from the W-5 category to the W-3 category. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

**Second Public Hearing:**

**CBDG Grant – ADA Curb Ramps Project –**

Luz Padua-Perez, Engineer III, Traffic and Permit Section, Public Works Division, presented information regarding the CBDG Grant to the Council.  
Public Comment was heard from:

- None.

With no additional speakers President M.C. Keegan-Ayer closed public comment.

**Express Approval of Church Hill Estates Annexation (Town of Myersville)**

Kimberly Golden Brandt, Director, Livable Frederick Planning & Design Office, Planning

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

& Permitting Division, presented information on the Church Hill Estates Annexation.

*Council Member Kai Hagen moved to grant express approval to the Church Hill Estates annexation into the town of Myersville. Council Member Jessica Fitzwater seconded the motion which passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

### **First Reading Calendar**

#### Amending the Adequate Public Facilities Ordinance

Council Member Steve McKay introduced to the Council on the Proposed Bill – Amending the Adequate Public Facilities Ordinance.

#### Common Driveways

Council Member Fitzwater and Vice President Michael Blue introduced to the Council on the Proposed Bill - Common Driveways.

**Council President M.C. Keegan-Ayer passed the gavel to Vice President Michael Blue at 6:43 pm.**

#### General Obligation Bond Authorization

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill - General Obligation Bond Authorization.

#### Amendments to the Frederick County Code, Chapter 1-2 – Admin. – Procurement and Contracting

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill - Amendments to the Frederick County Code, Chapter 1-2 – Admin. – Procurement and Contracting.

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Amendments to Various Finance Code Provisions of the Frederick County, Maryland Code of Ordinances

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill - Amendments to Various Finance Code Provisions of the Frederick County, Maryland Code of Ordinances.

Amendment to the Frederick County Employees Retirement Plan – Cost of Living Adjustment

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill - Amendment to the Frederick County Employees Retirement Plan – Cost of Living Adjustment.

Amendment to the Frederick County Uniformed Employees Retirement Plan – Cost of Living Adjustment

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill - Amendment to the Frederick County Uniformed Employees Retirement Plan – Cost of Living Adjustment.

Private Park in the RC

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill concerning a Private Park in the RC.

Sugarloaf Rural Heritage Overlay

Council President Keegan-Ayer, on behalf of the County Executive, introduced to the Council on the Proposed Bill to create a Sugarloaf Rural Heritage Overlay.

**Third Reading Calendar**

Bill No. 22-13 - Revisions to Section 1-16-106 of the Frederick County Subdivision Regulations

*Council President Keegan-Ayer moved the approval of Bill No. 22-13 - Revisions to Section 1-16-106 of the Frederick County Subdivision Regulations. Council Member Fitzwater seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
Presiding Officer - Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
District 3 - Keegan-Ayer	X		

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

**Bill No. 22-14 – Amendment of the Ethics Law**

*Council President Keegan-Ayer moved the approval of Bill No. 22-14 – Amendment of the Ethics Law. Council Member Jerry Donald seconded the motion that passed 7-0.*

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
Presiding Officer - Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
District 3 - Keegan-Ayer	X		

**CVP Blue passed the gavel back to President Keegan-Ayer at 6:47 p.m.**

The Council stood in recess from 6:47 p.m. to 7:00 p.m., at which time Council President M.C. Keegan-Ayer reestablished quorum.

**Public Hearing**

Bill No. 22-15 - Amendment to the Frederick County Employees Retirement Plan – Additional Plan Committee Member.

Bill No. 22-16 - Amendment to the Frederick County Uniformed Employees Retirement Plan – Additional Plan Committee Member.

**Public Comment was heard from:**

- None

With no additional speakers President M.C. Keegan-Ayer closed public comment.

**Third Reading Calendar:**

**Ordinance to Extend Certain Development Approvals Due to Pandemic Delays**

Council Member Steve McKay moved to approve the Ordinance to Extend Certain Development Approvals Periods and Deadlines. Vice president Michael Blue seconded the motion that passed 5-2.

**COUNTY COUNCIL OF FREDERICK COUNTY  
MEETING MINUTES  
Tuesday, September 6, 2022**

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald		X	
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer		X	

**Workshop**

Proposed Bill - Council Member Jessica Fitzwater provided information to the Council regarding a Proposed Bill - Moderately Priced Dwelling Units (MPDUs), Proposal to Amend Chapter 1-6A.

Proposed Bill - Council Member Jessica Fitzwater provided information to the Council regarding a Proposed Bill - Moderately Priced Dwelling Units (MPDUs), Proposal to Amend Chapter 1-19.

Proposed Bill - Council Member Jessica Fitzwater provided information to the Council regarding a Proposed Bill – Moderately Priced Dwelling Units (MPDUs), Proposal to Amend Chapter 1-22.

**Public Comment was heard from:**

- David Wilkinson
- Ryan Trott
- Danielle Adams

With no additional speakers President M.C. Keegan-Ayer closed public comment.

**Council Member Comments:**

Council Member comments were provided.

**Adjourn**

The meeting adjourned at 8:59 p.m.

  
 M.C. Keegan-Ayer, President  
 County Council